

ORAL ARGUMENT NOT YET SCHEDULED**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

UNITED STATES OF AMERICA,
et al.,

Plaintiffs-Appellees,

v.

GOOGLE LLC,

Defendant-Appellee,

APPLE INC.,

Movant-Appellant.

Case No. 25-5016

**DEFENDANT-APPELLEE GOOGLE LLC'S RESPONSE TO MOVANT-
APPELLANT APPLE INC.'S EMERGENCY MOTION FOR A STAY OF
PROCEEDINGS OR, IN THE ALTERNATIVE, TO EXPEDITE THE
APPEAL**

Defendant-Appellee Google LLC takes no position on Movant-Appellant Apple Inc.'s emergency motion filed February 3, 2025.

Dated: February 7, 2025

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

This response complies with the type-volume limitations of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 16 words, excluding the parts exempted by Federal Rule of Appellate Procedure 32(f).

This response complies with the typeface requirements and type-style requirements of Federal Rule of Appellate Procedure 32(a) because it has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman font.

Dated: February 7, 2025

/s/ John E. Schmidtlein

John E. Schmidtlein

ADDENDUM
Pursuant to Circuit Rules
8(a)(4), 21.6, and 28(a)(1)

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CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

Pursuant to D.C. Circuit Rules 8(a)(4) and 28(a)(1), the undersigned counsel certifies as follows:

A. Parties and Amici

The parties appearing before the district court and in this court are listed in Movant-Appellant Apple Inc.'s Emergency Motion. In addition to Apple Inc., the following persons have filed motions to intervene before the district court: American Economic Liberties Project, Demand Progress, Open Markets Institute, Revolving Door Project, Digital Content Next, Jon Schweppe, Adam Candeub, and The New York Times Company. The following persons have filed motions for leave to file an

amicus brief before the district court: American Antitrust Institute, George Loewenstein, Klaus Schmidt, and Paul Heidhues.

B. Rulings Under Review

References to the ruling at issue appear in Movant-Appellant Apple Inc.'s Emergency Motion.

C. Related Cases

This case was previously before this Court as Court of Appeals Docket No. 24-5006 on appeal from the district court's denial of Brad Greenspan's motion to intervene.

A notice of related case has been filed in the following actions: *Helena World Chronicle, LLC, et al. v. Google LLC, et al.*, No. 1:23-cv-03677-APM; *Fotobom Media, Inc. v. Google LLC*, No. 1:22-cv-00712-APM; *Sensory, Inc. v. Google LLC*, No. 1:22-cv-00937-APM; *Sensory, Inc. v. Google LLC*, No. 1:24-cv-02788-APM; *Paige v. Google LLC, et al.*, No. 1:20-cv-03158-APM; and *Grand Atlas LLC v. Google LLC, et al.*, No. 1:20-cv-03057-TNM. To Defendant-Appellee's knowledge, none of these cases has previously been before this Court or any other appellate court.

Defendant-Appellee is not aware of any other case involving the same or similar issue concerning whether Apple Inc. should be permitted to intervene in

United States, et al. v. Google LLC, No. 1:20-cv-03010-APM and *State of Colorado, et al. v. Google LLC*, No. 1:20-cv-03715-APM.

/s/ John E. Schmidtlein

John E. Schmidtlein

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rules 8(a)(4) and 26.1, Defendant-Appellee Google LLC certifies that Google LLC is a subsidiary of XXVI Holdings Inc., which is a subsidiary of Alphabet Inc. Alphabet Inc. is a publicly traded company, has no parent corporation, and no publicly traded company owns 10% or more of its stock.

/s/ John E. Schmidtlein

John E. Schmidtlein